

Appl. No. 09/531,135
Amdt. Dated August 6, 2004
Reply to Office Action of May 6, 2004

Attorney Docket No. 81784.0027
Customer No. 26021

REMARKS/ARGUMENTS

Claims 1-10 were pending in the Application. By this Amendment, claims 1, 2, 4, 7 and 8 are being amended and new claim 11 is being added, to advance the prosecution of the Application. No new matter is involved.

Beginning at the bottom of page 2 of the Office Action, claims 1 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,638,118 of Takahashi et al. Such rejections are respectfully traversed, particularly in view of the amendments being made to claims 1 and 7 herein.

More specifically, claims 1 and 7 are being amended by adding thereto language which defines the configuration shown in Fig. 6 of the Application in which charges are accumulated using different amounts of time. More specifically, in the case of claims 1 and 7, such claims are being amended by addition of the language at the end thereof "after driving the first and second light receiving pixels to accumulate information charges in the first and second light receiving pixels, the drive circuit adds information charges accumulated in the first light receiving pixel to information charges accumulated in the second light receiving pixel, and, with the information charges thus accumulated in the second light receiving pixels, the drive circuit drives the first and second light receiving pixels to further accumulate information charges in the first and second light receiving pixels".

Takahashi discloses providing light receiving pixels having charge storage times differing in an even field and an odd field, and combining the even field pixels and the odd field pixels to obtain an image signal having a wide dynamic range. However, Takahashi has no disclosure or suggestion concerning specific structures for the light receiving pixels having different charge storage times. Therefore, the charge accumulating structure as defined in claims 1 and 7 as amended herein is submitted to clearly distinguish patentably over such reference.

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Similar comments apply to new claim 11. After defining a solid-stage image pickup device, a drive circuit, and a timing control circuit, in a fashion similar to that as set forth in claims 1 and 7, new claim 11 the same paragraph as that being added at the end of claims 1 and 7. Consequently, new claim 11 is also submitted to clearly distinguish patentably over the art.

At the top of page 4 of the Office Action, in Paragraph 1, claims 4-6 are allowed. This indication has been duly noted by Applicant.

In Paragraph 2 which begins on page 4 of the Office Action, claims 2, 3 and 8-10 are objected to as being dependent upon a rejected base claim but are indicated as being allowable if rewritten in independent form so as to include all of the limitations of the base claim and any intervening claims.

Claim 2 is being amended in order to incorporate the limitations of claim 1 from which it depends, so that claim 2 should now be allowable. Claim 3 depends from claim 2 and should also be allowable. Claim 8 is being rewritten in independent form by incorporating the limitations of claim 7 therein, so that such claim should now be allowable. Claims 9 and 10 depend from claim 8 and should also be allowable.

In conclusion, claims 1-11 should be allowable for the reasons discussed above. Therefore, entry of the Amendment under the provisions of 37 C.F.R. § 1.116 as placing the Application in condition for allowance or alternatively in better form for appeal, and reconsideration and allowance in view thereof, are respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6846 to discuss the steps necessary for placing the application in condition for allowance.

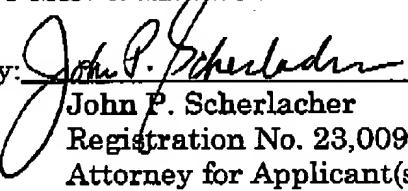
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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: August 6, 2004

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